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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,904	12/22/1999	THEODORE K BULLOCK	TN170	5514

7590 11/07/2003

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EXAMINER

QUELER, ADAM M

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/469,904

Applicant(s)

BULLOCK ET AL.

Examiner

Adam M Queler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 8/13/2003.
2. Claims 1-42 are pending in the case. Claims 1, 8, 15, 26, and 37 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-5, 7-12, 14-22, 25-33, 36-40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over The Daily Jolt (archived 10/12/1999) hereinafter Jolt.**

Regarding independent claim 1, 8, 15, 26, and 37, Jolt teaches a user of the first class has an account on the server, and hosting on a server has a copy of master web site. On page 2 and 4 are two similar versions of the web page. Each version corresponds to an account on the server, as inherently shown by the different domain names. While Jolt does not explicitly disclose a master version of the web site on the server, Jolt shows that some parts of the web site are verbatim the same, such as the Daily Jolt logo and the navigation bar. Therefore, it would have been obvious to have a master web site, if only to provide the header, so that all customized sites would have a similar look, theme and feel, as shown by the similarities between page 2 and page 4.

Jolt also shows the second level of customizability is available by the "customize" link on the top of each web page. This customization is available based on a second class of users as shown by the "login" link on the top of each web page. This level of customization is clearly different

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from the first. Each school (1st level) clearly customizes the site to the events of its particular school. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the “customize” link serve to customize the contents of the page placed there by the first class of user, as the site has several defined sections of contents.

Regarding dependent claim 2, 9, 16, 27 and 38, the web sites disclosed by Jolt, on p. 2 and p.4 is interpreted to be a portal.

Regarding dependent claim 3 and 10, Jolt teaches the account holder copy of each has unique URL. The Amherst site’s URL is amherst.dailyjolt.com, while the Penn State site’s URL is psu.dailyjolt.com.

Regarding dependent claim 4, 11, 17, 28 and 39, the URL is inherently assigned and provided by the server, as the server must route the traffic to the appropriate sub-domain.

Regarding dependent claim 5, 12, 18, and 29 and 40, Official Notice is taken that it was well-known to have a web site that comprises at least one web page and a combination of elements. It would have been obvious to comprise the web site with one web page and a combination of elements to deliver content to the user.

Regarding dependent claim 7, 14, 20, 31 and 42, Jolt teaches at least one of text graphics and hyperlinks (pp. 2 and 4).

Regarding dependent claim 21 and 32, Official Notice is taken that it was well-known in the art at the time of the invention to have a server connected to a network to distribute web pages. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the server to facilitate use with the Internet.

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Regarding dependent claim 22 and 33, Official Notice is taken that it was well-known in the art at the time of the invention to have a server generate web pages. It would have been obvious to one of ordinary skill in the art at the time of the invention to facilitate the personalization offered by the “customize” link.

Regarding dependent claim 25 and 36, Jolt teaches on pages 2 and 4, a list of hyperlinks (left), at least one image (top), a menu with sub-menus of hyperlinks (right). Official Notice is taken that a scrolling message was a well-known feature of web pages at the time of the invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a scrolling message to grab the user’s attention. Jolt does not teach an interface for customization, although it does contain a link to a web page for customization (“customize”). It would have been obvious to one of ordinary skill in the art at the time of the invention to have interface for customization linked to the “customize” link so that the links function would, in fact, be the customization of the page.

5. Claims 6, 13, 19, 23-24, 30, 34-35 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jolt and further in view of Nazem et al. (USPN 5983227—filed 6/12/1997).

Regarding dependent claim 6, 13, 19, 30, and 41, the Office cannot determine the intended scope of the claims due to them being indefinite. As is apparent from the specification, the Applicant intends to define a difference between content customization and personal customizations; the Office will interpret the claim language accordingly. Due to the lack of cached server pages Jolt does explicitly show the number of web page elements that are customized at the second level. However, as Jolt does teach the URL corresponds the first level

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of customization, the “customize” link must correspond the end users. Nazem teaches that end users can choose the modules they want on their page (col. 5, ll. 50-65). It would have been obvious to combine Nazem and Jolt to provide options for the user under the “customization” link.

Regarding dependent claim 23 and 34, Jolt does not explicitly teach a database for storing the information defining the web pages. Nazem teaches a database for storing the information defining web pages (col. 3, ll. 26-29). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nazem and Jolt to store changes to store the customization options (Nazem, col. 3, ll.49-57).

Regarding dependent claim 24 and 35, Jolt does not teach subdirectories. Nazem teaches subdirectories for each user’s information (col. 3, ll. 35-48). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nazem and Jolt so the each record could be quickly retrieved (Nazem, col. 3, ll. 42-44).

Response to Arguments

6. Applicant's arguments filed 8/13/2003 have been fully considered but they are not persuasive.

Applicant alleges that there is no evidence of a “master web site.” The Office has provided rationale that such a site would be obvious, and the Applicant has merely alleged that the site does not exist, which is not a persuasive argument.

Applicant alleges that there is no evidence that the two Web page printouts are created by different account holders. The Office has addressed this limitation in the original rejection, and

the Applicant has merely alleged that the limitation does not exist, which is not a persuasive argument.

The Applicant alleges that there is no evidence that there are differences in customization levels between the classes of users. The Office disagrees. As the reference is a portal site for students, the first level of customization is the tuning the web site to be applicable to the students of the intended school. Now that the page is populated with the relevant data, the customize link, would have to be a different type of customization than campus related customization.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M Queler whose telephone number is (703) 308-5213.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5631.

AQ


STEPHEN S. HONG
PRIMARY EXAMINER